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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,076	06/21/2001	Kevin Wade Jameson		3817

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EXAMINER

HOLMES, MICHAEL B

ART UNIT	PAPER NUMBER
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2121

DATE MAILED: 05/21/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/885,076

Applicant(s)

JAMESON, KEVIN WADE

Examiner

Michael B. Holmes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2001.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-5, 9-13 and 17-21 is/are rejected.  
7) ☒ Claim(s) 6, 7, 14-16 and 22-24 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 21 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.



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### Examiner's Detailed Office Action

1. This office action is responsive to application **09/885,076**, filed **June 21, 2001**.
2. **Claims 1-24** have been examined.

### Information Disclosure Statement

3. Examiner acknowledges applicants' submission of prior art and information disclosure. Nevertheless, applicant is respectfully remind of the ongoing Duty to disclose 37 C.F.R. 1.56 all pertinent information and material pertaining to the patentability of applicant's claimed invention, by continuing to submitting in a timely manner PTO-1449, Information Disclosure Statement (IDS) with the filing of applicant's of application or thereafter.

### Drawings

4. The formal drawings have been reviewed by the United States Patent & Trademark Office of Draftperson's Patent Drawings Review.

## Specification

5. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is required in correcting any errors of which applicant may become aware in the specification.

AC  
5/14/12  
6. Claims 6-7,<sup>8</sup> 14-16, & 22-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

## Claim Interpretation

7. Office personnel are to give claims their "**broadest reasonable interpretation**" in light of the supporting disclosure. *In re Morris*, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. *In re Prater*, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969). See \*also *In re Zletz*, 893 F.2d 319, 321-22, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989) ("During patent examination the pending claims must be interpreted as broadly as their terms reasonably allow. . . . The reason is simply that during patent prosecution when claims can be amended, ambiguities should be recognized, scope and breadth of language explored, and clarification imposed. . . . An essential purpose of patent examination is to fashion claims that are precise, clear, correct, and unambiguous. Only in this way can uncertainties of claim scope be removed, as much as possible, during the administrative process."). *see* MPEP § 2106

## Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

9. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

10. **Claims 1-5, 9-13, & 17-21** are rejected under 35 U.S.C. 102(e) as being anticipated by **Ranger (USPN 6,301,584 B1), Filed: Aug. 21, 1998; Date of Patent: Oct. 09, 2001.**

### **Regarding claim 1, 9, & 17:**

*Ranger* teaches,

A collection content classifier process for producing classification information for collections, to be performed on or with the aid of a programmable device, comprising the following steps:

(a) determining collection membership information for a collection being processed, [(col. 5, line 43-51 “Each web server implementation of the present invention includes an information

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*"metamodel" for information discovery, modeling, and visualization. A metamodel is a structured, generic model used as a framework for implementing specific information models, examples of which are illustrated in FIGS. 7, 8, 9. Referring to FIG. 3, depicted is one data structure of a general-purpose information metamodel 200 for defining and configuring the information models and visual representations stored at a server."*)] and

(b) making said collection membership information available for use by software programs,

**[(col. 5, line 52 to col. 06, line 05 "Information metamodel 200 is a way of generically organizing information about specific information models. Accordingly, data structures for information metamodel 200 define a set of data types, describing how classes of the information model are defined, how objects in the information model are instantiated, and how objects are displayed. According to one embodiment, the data structures for information metamodel 200 are implemented within a relational database. Each data type in the information metamodel 200 corresponds to a table in the relational database, each instance of a data type is stored as a row or "entry" in a table corresponding to the type, and the fields of each data type correspond to columns in the corresponding table. Persons of skill in the art would readily recognize that the information metamodel 200 may be implemented in a variety of ways other than with a relational database, for example, by a collection of persistent objects defined with an object-oriented language such as C++, Smalltalk, and Java, or files of records or structures of a procedural language such as C, Pascal, Ada, BASIC, FORTRAN, COBOL, PL/I, and the like.")]**

wherein collections are data structures comprised of a collection specifier and collection content containing zero or more collection content files, and wherein a collection specifier contains information about a collection instance, and wherein collection membership information

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describes collection content, thereby providing a solution to the collection content membership problem, and thereby enabling application programs to determine collection membership information in an automated, scalable way that was not previously available. [Automatic Content Classification (col. 22, line 38 to col. 23, line 34] *"In the course of information discovery it is possible for the web server to find a large number of content items in response to a query from a user. For example, queries supplied to the system may lead in a large number of entities to be retrieved and presented to the user. With known systems, the user would be confronted with long lists of results, in particular hyperlinks, to scroll through. Accordingly, one embodiment of the present invention relates to supplying the results of a query input by the user in a more structured manner, by performing automatic content classification of an object's content items for visualization. Automatic classification places each item into a particular bin for each of several possible classification criteria. In this manner, the web server automatically performs a "hit analysis" of the query results so that the user can more easily ascertain by browsing to a relevant bin for items that are most relevant to the user. One embodiment takes advantage of the fact that the retrieved entities are dedicated to a structured model and thus that it has some understanding of entities. It is thus possible to organize long lists of entities. All entities belong to a class with defined properties. Using that knowledge, the embodiment takes a long list and splits into smaller lists. Each smaller list represents entities falling within some range for a property value. For example, for a big list of Employees, the system could break the list down according to employee ID. A first sub-list would contain references to employees with IDs less than 236 and the other smaller list would contain references to employees with IDs greater than 342. This example is illustrated in FIG. 11. Since there is more than one property*

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*definition that can be used to create smaller lists, the system offers alternate subdivisions of the oversized content. This is in particular performed for each of the property values that may be viewed by the user. As illustrated in FIG. 11, smaller lists are created for the first name, last name, city and state. If the smaller sub-list is still too large for comfort, the system applies the same operation again on the sub-list, until the user reaches a list small enough to be laid out in full. This is performed automatically for example by assigning to the system a predetermined maximum number of entities that the sub-list may not be exceeded. Sometimes the amount of data that would be returned by an agent is so large that the system can only accept some of it from the data source and must discard the rest. For example, an agent could return a million references to Customers. The manageable portion that is accepted by the system is displayed using the same technique. As the user accesses restricted subsets of the original list, a more specific query is sent, yielding a smaller number of references. If the that smaller number, for example 100,000, is still be too large, then this technique is reapplied. Eventually though, when the user has navigated to a narrow enough subset, the highly constrained query will return a complete yet manageable set of answers which can all be accepted and displayed by the system according to the present invention. Consequently, such a subdivision of the results or automatic content classification provides a logical structure of the retrieved entities to the user, wherein the user can select a range. It should be noted that this provision could also be applied in other systems, in particular in systems without mutation, and in general to any displaying system for displaying large sets of data.”]*



**Regarding claim 2, 10, & 18:**

*Ranger teaches,*

The process, programmable device, computer readable memory of claims 1, 9, & 17 wherein:

(a) said step of determining collection membership information uses collection multiple product specification information, thereby providing a solution to the collection multiple product problem, and thereby enabling application programs to determine collection membership information for multiple collection products in an automated, scalable way that was not previously available. **[FIG. 2;** (*“FIG. 2 shows an alternative configuration of data discovery, integration, and visualization system 100 for retrieving entities within a computer network, in which a plurality of data sources are stored. The retrieved entities may be represented to a plurality of users at respective personal computers 240 with a user interface, in particular a web browser. The personal computers 240 are coupled, through network 122 to a network computer 126, acting as a web server and enabling a connection to the Internet 128. The network computer 126 comprises memory 105 into which several databases are stored, for example spreadsheets 242, internal web sites 244 or other databases 246. External data source formats may include external databases 257, telnet sites 267, and public web sites 277, stored in respective memories 255, 265 and 275 in respective computer systems 250, 260, 270. According to other embodiments, the internal and external data sources include video or sound. Entity retrieving system 100 can retrieve entities stored in data sources with different formats, as described hereinafter.”*)]

**Regarding claim 3, 11, & 19:**

*Ranger teaches,*

The process, programmable device, computer readable memory of claims 1, 9, & 17 wherein:

(a) said step of determining collection membership information uses collection special fileset specification information, thereby providing a solution to the collection special fileset problem, and thereby enabling application programs to determine collection membership information for collection special filesets in an automated, scalable way that was not previously available.

**[FIG. 2;** (*“FIG. 2 shows an alternative configuration of data discovery, integration, and visualization system 100 for retrieving entities within a computer network, in which a plurality of data sources are stored. The retrieved entities may be represented to a plurality of users at respective personal computers 240 with a user interface, in particular a web browser. The personal computers 240 are coupled, through network 122 to a network computer 126, acting as a web server and enabling a connection to the Internet 128. The network computer 126 comprises memory 105 into which several databases are stored, for example spreadsheets 242, internal web sites 244 or other databases 246. External data source formats may include external databases 257, telnet sites 267, and public web sites 277, stored in respective memories 255, 265 and 275 in respective computer systems 250, 260, 270. According to other embodiments, the internal and external data sources include video or sound. Entity retrieving system 100 can retrieve entities stored in data sources with different formats, as described hereinafter.”*)]

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**Regarding claim 4, 12, & 20:**

*Ranger teaches,*

The process, programmable device, computer readable memory of claims 1, 9, & 17 wherein:

(a) said step of determining collection membership information uses one or more collection content control directives, thereby providing an enhanced solution for the collection content membership problem that accommodates external collection content and provides precise mechanisms for overriding collection specifier and type definition information, and thereby enabling application programs to determine collection membership information that involves external collection content, in an automated, scalable way that was not previously available. [(col. 6, line 06-23 "*In accordance with one embodiment, FIG. 3 shows a number of data types, each data type having a number of fields, and each field defining a certain function. Many to one relationships between the fields are indicated by interconnecting lines with an indication ".infin." on the many side and "1" on the one side. For example, an instance (an object of data type Instance 215) may have many attributes 211. Accordingly, there is an indication ".infin." on the many side of the Instance field 211-1 and an indication "1" on the one side of the Instance field 215-1. Closely related data types defined by information metamodel 200 are grouped in three related layers: a data layer 210, a conceptual layer 220, and a visualization layer 230. The conceptual layer 220 acts as an intermediary between the data layer 210 and the visualization layer 230 and comprises data types that describe how information is organized within a defined information model.*")]

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**Regarding claim 5, 13, & 21:**

*Ranger teaches,*

The process, programmable device, computer readable memory of claims 1, 9, & 17 wherein:

(a) said step of determining collection membership information uses information selected from the group consisting of collection type definition information and collection product type definition information and collection content type definition information, thereby providing human administrators with a means for conveniently implementing and customizing administrative classification policies that are used by collection content classifiers. **[col. 5, line 8-21** (*"Referring to FIG. 2, depicted is a network 200 within which the present invention may be implemented. A web server 220 according to one embodiment of the present invention gathers information dynamically from one or more data sources, which may be located at different servers and have incompatible formats, structures the information into an object-oriented, information model, and outputs the information for the user according to an associated visual representation. The information model and the visual representation are defined by human operators according to their own needs, purposes, and preferences as part of the configuration of the server. Multiple information models and visual representations may be defined for any server."*)]

## Conclusion

11. The prior art made of record and (listed of form **PTO-892**) not relied upon is considered pertinent to applicant's disclosure as follows. Applicant or applicant's representative is respect-

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fully reminded that in process of patent prosecution i.e., amending of claims in response to a rejection of claims set forth by the Examiner per Title 35 U.S.C. The patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and any objections made. Moreover, applicant or applicant's representative must clearly show how the amendments avoid or overcome such references and objections. *See 37 CFR § 1.111(c).*

### Correspondence Information

12. Any inquiries concerning this communication or earlier communications from the examiner should be directed to **Michael B. Holmes** who may be reached via telephone at **(703) 308-6280**. The examiner can normally be reached Monday through Friday between 8:00 a.m. and 5:00 p.m. eastern standard time.

If you need to send the Examiner, a facsimile transmission regarding After Final issues, please send it to **(703) 746-7238**. If you need to send an Official facsimile transmission, please send it to **(703) 746-7239**. If you would like to send a Non-Official (draft) facsimile transmission the fax is **(703) 746-7240**. If attempts to reach the examiner by telephone are unsuccessful, the **Examiner's Supervisor, Anthony Knight**, may be reached at **(703) 308-3179**.

Any response to this office action should be mailed too:

**Director of Patents and Trademarks Washington, D.C. 20231**. Hand-delivered responses should be delivered to the Receptionist, located on the fourth floor of **Crystal Park II, 2121 Crystal Drive Arlington, Virginia**.

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***Michael B. Holmes***

Patent Examiner

Artificial Intelligence

Art Unit 2121

United States Department of Commerce

Patent & Trademark Office



**Anthony Knight**

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